



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,556	02/27/2004	Anthony George Burns	0108-0245	9235
33787 7590 03/27/2008 JOHN J. OSKOREP, ESQ. ONE MAGNIFICENT MILE CENTER 980 N. MICHIGAN AVE. SUITE 1400 CHICAGO, IL 60611				
EXAMINER				
BAYOU, YONAS A				
ART UNIT		PAPER NUMBER		
2134				
MAIL DATE		DELIVERY MODE		
03/27/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/789,556

Applicant(s)

BURNS, ANTHONY GEORGE

Examiner

YONAS BAYOU

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-31 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/5508)
4) ☐ Interview Summary (PTO-413)
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____
Paper No(s)/Mail Date _____

DETAILED ACTION

1. This office action is in response to applicant's response filed on 02/11/2008.
2. Claims 1-31 are pending.
3. Claims 1, 4, 6-8, 10-12, 15, 17-20 and 22-24 are amended.
4. Claims 29-31 are new.
5. Applicant's arguments have been fully considered but they are not persuasive.
6. When responding to the Office action, Applicant is advised to clearly point out the patentable novelty the claims present in view of the state of the art disclosed by the reference(s) cited or the objection made. A showing of how the amendments avoid such references or objections must also be present. See 37 C.F.R. 1.111(c).

Response to Arguments

1. Applicant, on page 9, line 24 – page 11, line 11, of the remarks, argues “the prior art of, Jin and Minborg in combination fail to teach an automatic mobile station grouping of different information items from different files into a same central file or message and automatic updating of the user information items from the existing files/applications into the central user information file or message.”

Examiner respectfully disagrees and asserts that Jin and Minborg in combination disclose that automatic mobile station grouping and automatic updating of the user information items.

Jin teaches that a method of sending personal information through a mobile terminal comprises (a) setting the mobile terminal to a personal information sending mode the user **[paragraph 18 and figs. 2 and 4A-4F]**; inputs the phone number of the receiving mobile terminal to which the user wants to transmit the personal information (S202). Here, the user can either input the phone number manually or automatically from a phone number list stored in the mobile terminal **[paragraph 31 and fig. 2;** the user can input/group automatically phone number/personal information in the mobile terminal]. The personal information may be information such as the mobile terminal user's name, telephone number, home address, business, business address, and email address **[paragraph 28 and figs. 4A-4F]**.

Jin also teaches that mobile telephones can be used to receive AM or FM radio broadcastings or to store and playback MP3 music downloaded in audio file formats from the internet. In addition, mobile telephones can be used for phone number storage, schedule management, and personal information management. Moreover, the latest models allow more items to be input and stored to allow management of more information **[paragraph 5;** to receive AM or FM radio broadcastings or to store corresponding to automatically update the user information]. A method of sending personal information through a mobile terminal comprises (a) setting the mobile terminal to a personal information sending mode; (b) inputting personal information data for

Art Unit: 2134

transmission; (c) inputting phone number(s) of receiving mobile terminal(s) for receiving the personal information data; and (d) sending the input personal information data to the receiving mobile terminal(s) using a Short Message Service (SMS) [paragraph 18 and figs. 4A-4F; the user information is inherently updated/current]. And finally, an exchange of such personal information is conveniently by an on-line transmission and automatic storage of the personal information. Furthermore, variable information can also be stored in the mobile terminal when a mobile terminal is used for public activities during business [paragraph 50; an on-line transmission and public activities during business are inherently automatic updating].

2. Examiner, however, in light of the above submission maintains the previous rejections while considering the amendments to the claims as follows:

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Jin, Pub. No. US 2002/0084888 A1 (hereinafter Jin).

Referring to claims 1, 4-7, 15-16, 23-24, 26-27, 29 and 30, Jin teaches a mobile station, a method of automatically grouping user-specific information items comprising the acts of:

in response to a trigger signal, automatically grouping the user-specific information items by a processor of the mobile station by **[paragraph 31; inputting corresponding to grouping];**

reading a first user-specific information item a first file of the mobile station **[paragraph 28, lines 1-2; paragraph 39, lines 1-4; paragraph 40, lines 1-3 and figs. 4a-4f; display/reading a first user-specific information item which corresponding to a personal information in a window of a mobile terminal];**

storing the first user-specific information item in a user information file or a message of the mobile station **[paragraph 5, lines 3-8 and paragraph 11, lines 11-14; stores more items/ first user-specific information item];** and

repeating the acts of reading and storing for at least a second user-specific information item from a second file of the mobile station, so that the first and the second user-specific information items are grouped together as user information in the user information file or the message of the mobile station **[paragraphs 7, 28, 30, 40 and figs. 4A-4F].**

Referring to claims 2, 13, 25 and 31, Jin teaches a mobile station, a method of grouping user-specific information items, wherein each one of the first and the second

user-specific information items comprises one of the following items: a user name associated with an end user of the mobile station; a telephone number of the mobile station; an e-mail address associated with an e-mail communication application of the mobile station; a Personal Identification Number (PIN) of the mobile station; and an address associated with the end user of the mobile station **[paragraph 28]**.

Referring to claims 3 and 14, Jin teaches a mobile station, a method of grouping user-specific information items, wherein the first user-specific information item comprises a Personal Identification Number (PIN) of the mobile station **[paragraph 28]**.

Referring to claim 8, Jin teaches a mobile station, wherein the user information file or the message comprises the user information file and the method further comprises: sending the user information file as an attachment to a message to one or more recipients via a wireless communication network **[paragraph 16]**.

Referring to claims 10 and 20, Jin teaches a mobile station, a method of grouping user-specific information items, wherein the trigger signal is produced in response to a user input request for the user information **[paragraph 7; paragraph 42 , lines 1-4; the command "confirm" icon do the act of reading, storing, and repeating]**.

Referring to claims 11 and 22, Jin teaches a mobile station, a method of grouping user-specific information items, wherein the trigger signal is produced in response to an update to a user-specific information item **[paragraphs 5, 18, 38 and 50]**.

Referring to claim 12, Jin teaches a mobile station, comprising:

a wireless transceiver **[page 1, paragraph 4, lines 1-4];**

an antenna coupled to the wireless transceiver **[page 1, paragraph 9, lines 4-8];**

a processor coupled to the wireless transceiver; memory **[page 1, paragraph 7 and fig. 1];**

the processor being adapted to automatically group user-specific information items by performing the following acts in response to a trigger signal **[paragraph 31];**

reading a first user-specific information item from a first file stored in the memory **[paragraph 28, lines 1-2; paragraph 39, lines 1-4; paragraph 40, lines 1-3 and figs. 4a-4f];**

storing the first user-specific information item in a user information file or a message **[page 1, paragraph 5, lines 3-8 and page 1, paragraph 11, lines 11-14];**
and

repeating the reading and the storing for at least a second user-specific information item from a second file stored in the memory, so that the first and the second user-specific information items are grouped together as user information in the user information file or the message **[paragraphs 7, 28, 30, 40 and figs. 4A-4F]**.

Referring to claims 17 and 18, Jin teaches a mobile station, wherein the processor is further operative to:

cause the user information file or the message to be sent through the wireless transceiver to one or more recipients [paragraph 7; paragraph 30; paragraph 42 , lines 1-4 and fig. 2].

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 9, 19, 21 and 28 are rejected under 35 U.S.C. 103(a) as being obvious over Jin, Pub. No. US 2002/0084888 A1 in view of Minborg, Patent No.: US 6,977,909 B2.

Referring to claims 9 and 19, Jin teaches a mobile station, a method of grouping user-specific information items (see claim 1 above). Jin further teaches reading a first user-specific information item associated with a first file or application of the mobile station [paragraph 28, lines 1-2; paragraph 39, lines 1-4; paragraph 40, lines 1-3 and figs. 4a-4f]. Jin does not appear to explicitly teach a method wherein the trigger

Art Unit: 2134

signal is based on an expiration of timer. However, Minborg teaches a possible interrupt may occur, e.g., when a user wishes to no longer wait for a complete download of a phonepage and instead initiates the circuit switched communication. This may be initiated by a time expiring or by manually indicating on a man-machine interface (MMI) **[column 19, lines 3-8]**. Jin and Minborg are analogous art because both teach exchanging of information in a communication network.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the method of Jin to include time expiring or by manually indicating on a man-machine interface (MMI) of Minborg because the circuit switched communication is initiated when there is no more phonepage data to download or when a possible interrupt occurs.

Referring to claims 21 and 28, Jin teaches a mobile station, a method of grouping user-specific information items (see claim 1 above). Jin further teaches reading a first user-specific information item associated with a first file or application of the mobile station **[paragraph 28, lines 1-2; paragraph 39, lines 1-4; paragraph 40, lines 1-3 and figs. 4a-4f]**. Jin does not appear to explicitly teach a method wherein the update comprises an insertion of a Subscriber Identity Module (SIM) or Removable User Identify Module (R- UIM) in the mobile station. However, Minborg teaches the memory unit may be non-volatile (e.g. EEPROM or SIM card) in order to retain stored information, should power be temporarily unavailable **[column 19, lines 60-62]**. Jin and

Art Unit: 2134

Minborg are analogous art because both teach exchanging of information in a communication network.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the method of Jin to include EEPROM or SIM card in the memory unit of Minborg because it retains stored information, should power be temporarily unavailable.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to YONAS BAYOU whose telephone number is (571)272-7610. The examiner can normally be reached on m-f,7:30-5:00.

Art Unit: 2134

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yonas Bayou/

Examiner, Art Unit 2134

03/13/2008

/Kambiz Zand/

Supervisory Patent Examiner, Art Unit 2134